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WAL-MART ASSOCIATES, INC.

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

STACY PERKINS, an individual,

Plaintiff,

vs.

WAL-MART ASSOCIATES, INC., a Delaware  
Corporation, and DOES 1 through 100,  
inclusive,

Defendants.

Case No: 1:20-cv-00638-DAD-EPG

**STIPULATION AND ORDER TO  
CONTINUE MEDIATION DEADLINE**

Removal Date: May 05, 2020  
Mediation Date: October 28, 2020  
Mediation Deadline: November 02, 2020  
Trial Date: TBD

IT IS HEREBY AGREED AND STIPULATED, by and between all parties, through their undersigned counsel, as to the following:

1. On May 05, 2020, Defendant Wal-Mart Associates, Inc. ("Defendant" or "Walmart") filed its Notice to Court and Adverse Party of Removal to Federal Court.
2. On July 06, 2020, Walmart filed a Stipulation and Proposed Order for Elect Referral of Action to Voluntary Dispute Resolution Program pursuant to Local Rule 271.
3. On July 07, 2020, the Court ordered the action to be referred to the Voluntary Dispute Resolution Program with program administrator Sujean Park.
4. On July 20, 2020, after various meet and confer sessions, the parties agreed on Mr. Sanford Kingsley to serve as mediator under the Voluntary Dispute Resolution Program and submitted him to the program administrator's assistant Jonathan Crouch.
5. On August 03, 2020, Mr. Kingsley was appointed by the Court to serve as neutral for mediation under the Voluntary Dispute Resolution Program.

6. Pursuant to Local Rule 271(j)(1), the last day for the parties to complete the Voluntary Dispute Resolution Program mediation session is November 02, 2020, or 91 days from the date Mr. Kingsley was selected as neutral.
7. Pursuant to Local Rule 271(j)(1), the parties and neutral selected October 28, 2020 as the date to conduct the Voluntary Dispute Resolution Program mediation session.
8. Due to scheduling and other issues, the parties have yet to take depositions of Plaintiff as well as the person designated as most knowledgeable pursuant to Federal Rule of Civil Procedure 30(b)(6).
9. The parties believe that these depositions will allow them to engage in a more meaningful mediation with the hopes of achieving a complete resolution of the lawsuit prior to the parties incurring any additional costs and expense of preparing for trial.
10. In order to allow the parties the opportunity to schedule and take these depositions prior to the October 28, 2020 mediation session, they therefore stipulate and request that the Court continue the current November 02, 2020 mediation deadline to February 02, 2020, or as soon thereafter as is convenient to the Court's calendar.
11. The parties agree and stipulate all joint scheduling deadlines including all discovery deadlines be continued to run concurrent with the newly assigned mediation deadline.
12. The parties agree that it is in the best interests of all concerned that the mediation deadline of this matter be continued.
13. On September 28, 2020, Mr. Kingsley was notified of the parties' intention to continue the October 28, 2020 mediation session and November 02, 2020 mediation deadline. Mr. Kingsley stated he had no objection to continue the mediation deadline to a date when all parties have had sufficient time to prepare for a meaningful mediation session.
14. This is the first request for a continuance of the mediation deadline in this matter.
15. Good cause exists for granting this request based on the foregoing.
16. This stipulation may be executed in counterparts and by facsimile or PDF signature.

1 DATED: September 29, 2020

**PHILLIPS, SPALLAS & ANGSTADT LLP**

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3 Gregory L. Spallas, Esq.  
4 Adolpho O. Karajah, Esq.  
5 Attorneys for Defendant  
WAL-MART ASSOCIATES, INC.

6 DATED: September 29, 2020

**OTKUPMAN LAW FIRM**

7 /s/ Roman Otkupman

8 Roman Otkupman, Esq.  
9 Attorney for Plaintiff  
STACY PERKINS

**ORDER**

Pursuant to the *Parties' Stipulation to Continue Mediation Deadline* (ECF No. 10), and good cause having been shown, IT IS ORDERED the current November 02, 2020 mediation deadline is vacated and continued to February 2, 2021, and all joint scheduling deadlines including all discovery deadlines are vacated and are re-set to run concurrent with the newly assigned mediation deadline.

IT IS SO ORDERED.

Dated: **September 29, 2020**

/s/ Eric P. Grogan  
UNITED STATES MAGISTRATE JUDGE